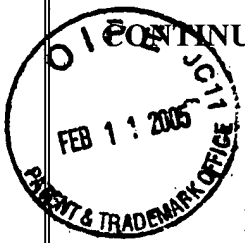


Zaw RCE  
1647



<b>REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to:  <b>MAIL STOP RCE COMMISSIONER FOR PATENTS P. O. BOX 1450 ALEXANDRIA, VA 22313-1450</b> (Revised 01/2003)	Application Number 09/560,288
	Filing Date April 27, 2000
	First Named Inventor: Hanley, Jr. et al.
	Art Unit: 1647
	Examiner Name: Robert Clinton Hayes
	Confirmation No.: 3083
Attorney Docket No. 038151/195944	

This is a request for **Continued Examination (RCE)** under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
  - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply
  - ii. ☐ Affidavits(s)/Declarations(s)
  - iii. ☐ Information Disclosure Statement (IDS); of cites listed on PTO Form 1449
  - iv. ☐ Other \_\_\_\_\_

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

In re: Hanley, Jr. et al.

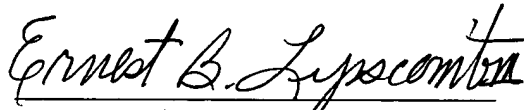
Appl. No.: 09/560,288

Filed: April 27, 2000

Page 2

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. The Director is hereby authorized to charge any fee deficiencies, or credit any overpayments, to Deposit Account No. 16-0605.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)  
(\$790.00 large entity; \$395.00 small entity)
- ii. ☐ Extension of Time Fee (37 C.F. R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☒ Check in the amount of \$395 enclosed

Respectfully submitted,



Ernest B. Lipscomb, III

Registration No. 24,733

**Customer No. 00826**

**Alston & Bird LLP**

Bank of America Plaza

101 South Tryon Street, Suite 4000


Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on February 8, 2005.

  
Janet F. Sherrill



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/560,288 Confirmation No.: 3083  
Applicant(s): Hanley, Jr. et al.  
Filed: April 27, 2000  
Art Unit: 1647  
Examiner: Robert Clinton Hayes  
Title: METHOD FOR PRODUCING HUMAN INTERVERTEBRAL DISC CELLS

Docket No.: 038151/195944  
Customer No.: 00826

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT UNDER 37 CFR § 1.115  
ACCOMPANYING A REQUEST FOR CONTINUING EXAMINATION**

Sir:

Please enter this Preliminary Amendment before calculating the claim fee and amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks** begin on page 6 of this paper.